



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/577,320	05/24/2000	Nagendran Parasu	95-426	4911

23164 7590 04/05/2004

LEON R TURKEVICH  
2000 M STREET NW  
7TH FLOOR  
WASHINGTON, DC 200363307

EXAMINER

NGUYEN, DANG T

ART UNIT	PAPER NUMBER
----------	--------------

2178

DATE MAILED: 04/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/577,320

Applicant(s)

PARASU, NAGENDRAN

Examiner

Dang T Nguyen

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on 03 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 May 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responsive to applicant amendment filed on 02/04/2004.
2. Claims 1 - 16, are pending in this case. Claims 1, 6, 11, 14, 16 are independent claims.
3. The rejection of claims 1-16 under 35 USC 102 (e) as being anticipated by Dodrill et al. has been withdrawn pursuant to the applicant's argument.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1 – 16, are rejected under 35 U.S.C. 103(a) as being unpatentable over Burg et al. Pub. No.: US 2003/0061354, filed 10/27/1999 further in view of Call U.S. Patent No. 6,154,738, filed 5/21/1999.**

**Regarding independent claim 1**, Figures 3, and 4 of Burg discloses a method in an application server configured for responding to hypertext transport protocol requests, the method comprising: storing (page 3, lines 1 – 7 of paragraph [0056]), in response to a first HTTP request, an HTML document that specifies for a user (Page 3 lines 8 – 15 of paragraph [0056]), a call number (See Fig. 6 [720]) of a second party (Fig. 3, call center 70), retrieving the stored HTML document based on a second HTTP request by the user generating a first hypertext markup language (HTML) document,

Art Unit: 2178

based on the retrieved HTML document (Page 3 paragraph [0059]); having instructions including the call number for accessing the second party (page 3 paragraph 0061 – 0062) and selectively generating a second HTML document (Fig. 5B step 525), based on a prescribed input received from the second party, having instructions for connecting the second party with the user (paragraph 0079 – 0098). However Burg disclosing stored HTML document instead of XML document as of claimed invention.

Fig. 1 and Col. 2 lines 8 – 11 of Call disclosing Internet system having data information is stored in Internet server, preferably in XML format.

Burg et al. and Call are common subject matter for storing and transferring document via internet, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modifying the stored HTML document format to Burg et al. to XML format which has taught by Call (Col. 2 lines 8 – 11) for the purpose of providing the data supplied by the manufacture can be rendered using font sizes, typefaces, background colors, and formatting selected by the webpage, and ability to encourage or enforce conformity with content and formatting standards through the use of document type definition (Call, Col. 2 line 64 – Col. 3 line 10).

**Regarding to dependent claim 2**, Burg modified by Call as applied above, further disclose wherein the stored XML document includes a call number of the user (Burg, Fig. 6 [733]) and a prompt sequence (Burg, page 3 paragraph [0056] "Launch Call") for accessing the second party, the first HTML document including the prompt sequence, and the second HTML document including the call number of the user (Burg page 3 paragraph [0061]).

**Regarding to dependent claim 3**, Burg modified by Call as applied above, further disclose comprising generating a third HTML document that specifies a form including entry fields for the user's call number, the call number of the second party, and the prompt sequence respectively, the method including receiving an HTTP request including the form specifying the user's call number, the call number of the second party and the prompt sequence (Burg, Fig. 6 and 7), respectively, in the entry field prior to the storing step (Page 4 paragraph [0076]).

**Regarding to dependent claim 4**, Burg modified by Call as applied above, further disclose discloses the storing step includes dynamically generating the XML document based on the form in the HTTP request (Burg, page 3, paragraph [0055, 0056]).

**Regarding to dependent claim 5** Burg modified by Call as applied above discloses the instructions of the first HTML document include playing a voice message indicating to the second party that the user wants to speak with the second party (page 5 paragraph [0091]).

**Regarding to independent claim 6** Burg modified by Call as applied to claims 1 – 5 above, disclose a method in an application server for executing a voice application, the method comprising: receiving an HTTP request requesting a voice application (Burg "Launch Call") from a user (Burg, paragraph [0056]), the voice application being specified in an XML document including information for connecting with a call number of the user and with a call number of a second party (Fig. 6), generating a first hypertext markup language (HTML) document, based on the XML document, having instructions including the call number for accessing the second party (Burg, page 3 paragraph

Art Unit: 2178

[0061]), and selectively generating a second HTML document (Burg, page 4 paragraph [0082]), based on a prescribed input received from the second party, having instructions for connecting the second party with the user (Burg, paragraph [0079 – 0081]).

**Regarding to dependent claim 7**, Burg modified by Call as applied above disclose the XML document includes a prompt sequence (Burg, page 3 “Launch Call”) for accessing the second party, the first HTML document including the prompt sequence (Burg page 3 paragraph [0055 – 0056]).

**Regarding to dependent claim 8**, the claim incorporates substantially similar subject matter as claim 3, and is rejected along the same rational.

**Regarding to dependent claim 9**, the claim incorporates substantially similar subject matter as claim 4, and is rejected along the same rational.

**Regarding to dependent claim 10**, the claim incorporates substantially similar subject matter as claim 5, and is rejected along the same rational.

**Regarding independent claim 11**, Burg modified by Call as applied above discloses an application server configured for developing an executable voice application, the system including: an application runtime environment (Burg, Fig. 3 and 4) configured for generating a first hypertext markup language (HTML) document based on an XML document (Burg, page 3 paragraph [0055]) the first HTML document having instructions including the call number for accessing the second party (Burg, page 3 paragraph [0056] “Launch Call”), and the application runtime environment generating a second HTML document based on a prescribed input received from the second party (Burg, paragraph [0079 – 0081]), the second HTML document having instructions for connecting the second party with the user (Burg, page 4 paragraph [0082], and a

Art Unit: 2178

storage medium (Fig. 3 150, 120, 80) configured for storing the XML document (Burg, paragraph [0056], [0076]).

**Regarding to dependent claim 12**, Burg modified by Call as applied above disclose the application runtime environment is configured to insert an application parameter into an XML page (Burg paragraph [0061]) prior to generating the HTML documents (Fig. 6, paragraph [0064]).

**Regarding to dependent claim 13**, Burg modified by Call as applied above disclose the application runtime environment is configured for sending the First HTML document specifying a blank form for creation of the XML document in response to an initial HTTP request specifying creation of the XML document (Burg page 3 paragraph [0059]).

**Regarding to independent claim 14**, Burg modified by Call as applied above discloses a computer readable medium (Burg, Fig. 4) having stored thereon sequences (Burg page 3 paragraph [0056] "Launch Call") of instructions for executing a voice application (Burg, page 3 paragraph [[0055 – 0056]], the sequences of instructions including instructions for performing the steps of: receiving, from a browser, an HTTP request that specifies a form having input application parameters specifying information for connecting with a call number of a user and with a call number of a second party (Burg, page 3 paragraph 0057 - 0059), inserting the input application parameters into an XML document configured for defining an operation of the executable voice application (Burg page 3 paragraph [0061]), generating a first hypertext markup language (HTML) document, based on the XML document, having instructions including the call number for accessing the second party (Burg, page 3 paragraph [0059]), and selectively

Art Unit: 2178

generating a second HTML document (Burg, page 4 paragraph [0082]), based on prescribed input received from the second party, having instructions for connecting the second party with the user (Burg, page 4 paragraph [0079 – 0081]).

**Regarding to dependent claim 15**, the claim incorporates substantially similar subject matter as claim 7, and is rejected along the same rational.

**Regarding to independent claim 16**, Burg modified by Call as applied above discloses an application server for executing a voice application, the application server comprising: means for storing (Burg, Fig. 3 150) in response to a first HTTP request (Burg, page 3 paragraph [0056]), an XML document that specifies for a user (Fig. 3 100), a call number of a second party (see Figure 6 [720]), means for generating a first hypertext markup language (HTML) document, based on the XML document (Burg, page 3 paragraph [0059]), having instructions including the call number for accessing the second party (Burg, Fig. 3 paragraph 0061]), and means for selectively generating a second HTML document (Burg page 3 paragraph [0082]), based on a prescribed input received from the second party, having instructions for connecting the second party with the user (Burg, page 4 paragraph [0079 – 0081]).

### ***Response to Arguments***

5. Applicant's arguments, see Under Remarks, filed 02/04/2004, with respect to the rejection(s) of claim(s) 1, 6, 11, 14 and under Dorill et al. (US6578000) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of



Art Unit: 2178

rejection is made in view of Burg et al. Pub. No.: US 2003/0061354 in combination with Call U.S. Patent No. 6,154,738.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bannister et al. U.S. Patent No. 5,943,399 Date of Patent: Aug. 24, 1999

### ***Contact Information***

7. Any inquiry concerning this communication from the examiner should be directed to Dang Nguyen, who can be reached by telephone at (703) 305-1673. Normal contact times are M-F, 8-4:30.

Upon an unsuccessful attempt to contact the examiner, the examiner's supervisor, Heather Herndon, may be reached at (703) 308-5186.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist, whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Art Unit: 2178

Or faxed to:

(703) 746-7239 (for formal communications intended for entry)

or:

(703) 746-7238 (for after-final communications)

Hand-delivered responses should be brought to

Crystal Park II, 2121 Crystal Drive

Arlington, VA, Fourth Floor (receptionist).

Dang Nguyen 3/31/04.

  
STEPHEN S. HONG  
PRIMARY EXAMINER